IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4649 OF 1996

Kasamiya Shahabuddin Nakhwa ..Petitioner.

V/s.

Shri Rahiman Kazi Esuf Trust & Ors. ..Respondents.

Mr.S.G. Karandikar for petitioner.

CORAM : ABHAY S.OKA, J.

DATED : 11th APRIL, 2007.

P.C. :-

Heard Mr.Karandikar appearing for the petitioner. By this Writ Petition under Article 227 of the Constitution of India, the petitioner has challenged the orders passed by the Authorities under the Maharashtra Land Revenue Code, 1966 in a proceedings relating to Mutation Entry. It is settled position of law that in such proceedings, the rights of the parties with regard to the immovable property are not decided. Such orders passed by the revenue authorities are always subject to the decree in a suit on title passed by the Civil Court.

2. In view of the aforesaid, it is not necessary to entertain this petition.

3. Subject to what is stated above, petition is dismissed.

(ABHAY S. OKA, J.)